

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CLINTON SPELLMAN, *et al.*,

Plaintiffs,

v.

AMERICAN EAGLE EXPRESS, INC.,

Defendant.

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ORDER

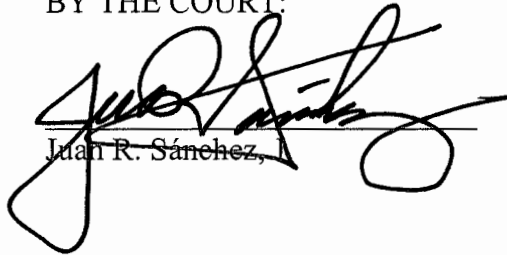
AND NOW, this 12th day of July, 2013, based upon the Court's consideration of all papers and proceedings herein, including, *inter alia*, the presentations and representations of counsel in open court during a July 2, 2013 conference and the negotiations between counsel during a July 2, 2013 settlement conference presided over by Magistrate Judge Timothy R. Rice, and having concluded that the agreed-upon settlement constitutes a fair, reasonable, and adequate resolution of a *bona fide* dispute under the Fair Labor Standards Act, 29 U.S.C. §§ 201, *et seq.*, it is hereby **ORDERED** that the settlement is **APPROVED**. Consequently, the parties' respective claims and counterclaims are **DISMISSED WITH PREJUDICE AS SETTLED**, and the parties and their counsel shall be barred from ever reasserting the claims they made within this lawsuit.

In addition, as stated during the proceedings before the Court on July 2, 2013, the parties agree that Plaintiffs were and shall be independent contractors and not employees in the event they ever again enter into a contractual relationship with AEX to transport cargo

on behalf of AEX's customers, and that AEX need not change its business model or classify its independent contractors as employees.

Although this action will be closed for statistical purposes, the Court will continue to exercise jurisdiction over the action for purposes of enforcing the settlement.

BY THE COURT:



Juan R. Sanchez, J.